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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

PHILIPS MEDICAL CAPITAL, LLC,

Plaintiff,

No. C 06-04470 JSW

v.

MEDICAL INSIGHTS DIAGNOSTICS
CENTERS, INC., et al.,

Defendants.

**SECOND ORDER SETTING
BRIEFING SCHEDULE**

AND RELATED CROSS COMPLAINT

This matter is set for hearing on December 15, 2006, on third-party defendant Phillips Medical Systems North America's ("PMS") motion to dismiss the third-party claims filed by defendant Medical Insights Diagnostic Centers, Inc. ("MIDC"). The Court HEREBY ORDERS that MIDC's opposition shall be due by October 17, 2006. PMS's reply shall be due by October 24, 2006.

If the Court determines that the matter is suitable for resolution without oral argument, it will so advise the parties in advance of the hearing date. If the parties wish to modify this schedule, they may submit for the Court's consideration a stipulation and proposed order demonstrating good cause for any modification requested.

IT IS SO ORDERED.

Dated: September 25, 2006

Jeffrey S. White

JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE